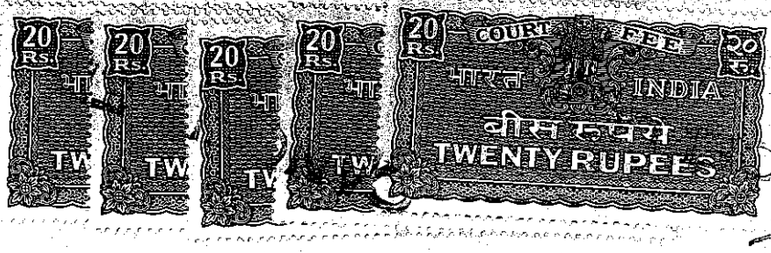

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IN THE HIGH COURT OF JUDICATURE AT JABALPUR M.P.

W.P.No. 3379/1999

Petitioner : Bharat Soni, aged 29 years,
son of Murlidhar Soni,
Field Asstt. (Daily Wages)
Sub Division Shivajee Nagar (East)
Municipal Corporation, Bhilai,
Tah. and Distt. Durg.

VERSUS.

Respondents:- 1. Municipal Corporation, Bhilai
through the Commissioner

2. Ramji Singh, Time Keeper (Samaypal)
Municipal Corporation, Bhilai.

3. Ram Pravesh, Time Keeper (Samaypal)
Municipal Corporation, Bhilai.

4. Dharmendra, Time Keeper (Samaypal)
Municipal Corporation, Bhilai.

Petition under article 226/227 of the Constitution of India.

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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 3379 of 1999

Petitioner Bharat Soni

Versus

Respondents Municipal Corporation, Bhilai & others

Single Bench : Hon'ble Mr. Justice **Satish K. Agnihotri**.

Shri Ajay Shrivastava, Advocate for the petitioner.

Shri H. B. Agarwal, Senior Advocate with Miss Shipra Biswas, Advocate for the respondent No.1.

ORAL ORDER

(16th February, 2006)

The following order of the Court was passed by **Satish K. Agnihotri, J.**

1. The petitioner, who was appointed on the post of Time Keeper on 26.6.1990 in the Municipal Corporation, Bhilai, has filed this petition seeking a direction against the Respondent No.1 to regularize the services of the petitioner from the date on which, his juniors have been regularized.

2. Learned counsel for the petitioner submits that the Respondent No.2 (Shri Ramji Singh) was appointed on 26.8.1993 and was regularized on 8.3.1994, whereas the Respondent No.3 (Shri Ram Pravesh) was appointed on 24.12.1990 and Respondent No.4 (Shri Dharmendra) was appointed on 26.12.1990, and both of them were regularized on 20.1.1997, ignoring the claim of the petitioner, when he was senior and was appointed on earlier point of time. Learned counsel for the petitioner, vehemently argued that the Respondent No.1 had not followed the principles of seniority in case of regularization.

3. Shri H. B. Agarwal, learned Senior counsel assisted by Miss Shipra Biswas, learned counsel for the Respondent No.1, fairly submits that the last person i.e. the Respondent No.4 was given regularization and the claim of the petitioner was ignored.

4. In view of the above stated facts the Respondent No.1 is directed to regularize the petitioner on work charged establishment w.e.f. the date when his juniors were regularized on work charged establishment. Accordingly, the petition is allowed. No order as to costs.

5. The petitioner would be at liberty to make a representation for payment of difference of wages from the date of his regularization, if so advised.

Certified copy, as per Rules.

Sd/-
Satish K. Agnihotri
Judge

Thakur